



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/690,329

10/21/2003

Sami Daoud

KELPRO P07AUS

2190

20210 7590 03/29/2005

DAVIS & BUJOLD, P.L.L.C.
FOURTH FLOOR
500 N. COMMERCIAL STREET
MANCHESTER, NH 03101-1151

EXAMINER

HSIEH, SHIH YUNG

ART UNIT

PAPER NUMBER

2837

DATE MAILED: 03/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/690,329

Applicant(s)

DAOUD, SAMI

Examiner

Shih-yung Hsieh

Art Unit

2837

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
 Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
 Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Art Unit: 2837

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 4 are rejected under 35 U.S.C. 102(b) as being anticipated by Beck (4,144,372).

Regarding claim 1, Beck discloses a composite structure (Fig. 9) comprising: a plurality of layers of laminate; and a layer of adhesive located between each adjacent layer of the plurality of laminate; wherein the adhesive is a composite adhesive which has a plurality of spheres intermixed within the composite adhesive (col. 10, lines 3-8).

Regarding claim 2, Beck discloses the claimed invention (col. 8, lines 14-20).

Regarding claim 4, Beck discloses the claimed invention (col. 9, line 14).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Beck in view of Meteer et al. (5,888,642).

Regarding claim 3, Beck discloses the claimed invention except that the coupling agent is a silane coupling agent.

Meteer et al. teach a structure using silane coupling agent (col. 5, line 52) for facilitating wet out of the microspheres which results in better adhesion. It would have been obvious to one having ordinary skill in the art to modify Beck's structure as taught by Meteer et al. to include the coupling agent being a silane coupling agent for the purpose of facilitating wet out of the microspheres which results in better adhesion.

5. Claims 5 and 10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck in view of Seal (6,087,568).

Regarding claim 5, Beck discloses the claimed invention except that the composite structure is a laminated sheet of material which is used for manufacture of at least one component of a string instrument.

Seal teaches that a composite structure is a laminated sheet of material used for manufacture of at least one component of a string instrument for providing the desired characteristic sound (col. 3, lines 33-35). It would have been obvious to one having ordinary skill in the art to modify Beck's structure as taught by Seal to include the composite structure is a laminated sheet of material which is used for manufacture of at least one component of a string instrument for the purpose of providing the desired characteristic sound.

Regarding claim 10, Beck discloses the claimed invention except that at least one the plurality of layers of laminate is a layer of one of a maple laminate, a birch laminate, a poplar laminate, a gum laminate, a bas laminate, and a mahogany laminate.

Seal teaches at least one the plurality of layers of laminate is a mahogany laminate for crisper tone (col. 3, lines 44-45). It would have been obvious to one having ordinary skill in the art to modify Beck's structure as taught by Seal to include at least one the plurality of layers of laminate is a layer of a mahogany laminate for the purpose of providing a crisper tone.

6. Claims 6-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Beck in view of Janes et al. (5,333,527) and Adinolfi (6,300,551).

Regarding claims 6-9, Beck in view of Janes et al. and Adinolfi disclose the claimed invention except to specify the ranges of adhesive mixtures, its thickness between adjacent laminate layers, thickness of the laminate layers, and the number of laminate layers of the structure. It would have been obvious to one having ordinary skill in the art at the time the invention was made to include such ranges, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233.

7. Claims 11 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adinolfi in view of Beck.

Regarding claims 11 and 20, Adinolfi discloses the claimed invention except that the adhesive is a composite adhesive which has a plurality of hollow spheres uniformly intermixed within the composite adhesive.

Beck teaches a composite adhesive which has a plurality of hollow spheres uniformly intermixed within the composite adhesive for improving properties of the product (col. 1, lines 28-49). It would have been obvious to one having ordinary skill in the art to modify Adinolfi's structure as taught by Beck to include the adhesive is a composite adhesive which has a plurality of hollow spheres uniformly intermixed within the composite adhesive for the purpose of improving properties of the product.

8. Claims 12-14, and 16-19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adinolfi in view of Beck as applied to claims 11 above, and further in view of Meteer et al.

Regarding claims 12, see above statement in item 4.

Regarding claims 13, 16-18, see above statement in item 6.

Regarding claims 14 and 19, Adinolfi discloses the claimed invention (col. 3. lines 35-37, and Figs. 2-5).

9. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Adinolfi in view of Beck as applied to claim 11 above, and further in view of Seal.

Regarding claim 15, see above statement in item 5.


Art Unit: 2837

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shih-yung Hsieh whose telephone number is 571-272-2065. The examiner can normally be reached on 7:00-3:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on 571-272-2107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

syh


SHIH-YUNG HSIEH
PRIMARY EXAMINER